

# **EXHIBIT FF**

to the Declaration of  
Lisa J. Cisneros in Support of  
Plaintiffs' Supplemental Motion  
for Class Certification

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
4

5 IN RE: HIGH-TECH EMPLOYEE )  
6 ANTITRUST LITIGATION )  
7 ) No. 11-CV-2509-LHK  
8 THIS DOCUMENT RELATES TO: )  
9 ALL ACTIONS. )

10 \_\_\_\_\_

11  
12 VIDEO DEPOSITION OF CHRIS GALY  
13 ATTORNEYS' EYES ONLY  
14 March 20, 2013

15  
16 Reported by: Anne Torreano, CSR No. 10520  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 interest in coming to Intuit. And that's always the  
2 first question.

3 "This is Chris Galy. I'm calling from  
4 Intuit. I'd like to spend a couple minutes of your day  
02:11:59 5 to see if there's an opportunity for me to inform you  
6 about a specific role or just to build a bridge for the  
7 future. You're in our industry, and you're somebody  
8 we'd like to stay in touch with."

9 Q. Sounds like you might have said that once or  
02:12:11 10 twice.

11 A. Couple of times.

12 Q. So what other things -- I mean, after you've  
13 said that, which sounds like a great way to start the  
14 conversation --

02:12:23 15 A. Sure.

16 Q. -- what are -- I know every conversation's --

17 A. Yeah.

18 Q. -- different on some level --

19 A. Yeah.

02:12:27 20 Q. -- but what are some standard points you'd  
21 want to hit talking about it?

22 A. The next question is, you know, once -- if  
23 that door's open, "What can I -- what questions do you  
24 have and what could I answer?" I'll turn it over to  
02:12:39 25 the prospective candidate, and of course that's

1 different for every single candidate that we call out  
2 to.

3 But essentially we're gauging interest and  
4 we're gauging whether they would be interested in -- at  
02:12:51 5 least at some point it's -- probably a phone screen is  
6 the next step, just looking at, hey, you know, you're  
7 here, this is what we're looking for, does that sound  
8 like it could be a match? Would you be interested in  
9 having further discussions?

02:13:04 10 Q. Okay. How -- what kind of conversations would  
11 you typically have with candidates about compensation  
12 in an initial cold-call?

13 MR. KIERNAN: Object to form.

14 THE WITNESS: It comes up. Again, generally  
02:13:23 15 driven -- the goal of -- the first, primary goal is to  
16 generate interest and awareness and see if there's a  
17 match. But then the next thing is you don't want to  
18 waste people's time and they don't want to waste yours.

19 And so it's -- these days, it's generally, you  
02:13:37 20 know, hey, give me a ballpark. Are we doing apples to  
21 apples, or are we -- are you in Yankee Stadium and  
22 we're in the Oakland Coliseum?

23 And I'm an A's fan, by the way, so --

24 MR. GLACKIN: Me too, but Yankee Stadium's a  
02:13:57 25 little nicer.

1 THE WITNESS: Yeah. So you get the reference.

2 MR. GLACKIN: Yeah. So --

3 MR. KIERNAN: There's also a Red Sox fan in  
4 the house. So --

02:14:04 5 MR. GLACKIN: Well, we won't --

6 MR. KIERNAN: I carry a picture.

7 THE WITNESS: Sorry to hear that.

8 MR. GLACKIN: We don't hold that against you,  
9 Mr. Kiernan.

02:14:09 10 MR. KIERNAN: That's right.

11 BY MR. GLACKIN:

12 Q. So is that usually you asking them how much  
13 they make or them asking you what the ballpark is for  
14 the position, or could it be either way?

02:14:18 15 A. It could be either way. But generally  
16 speaking, I like to leave it up to them to tell me what  
17 their expectations are. So ... yeah, I mean, it could  
18 be either way.

19 Q. Okay. Are there any -- are there any like  
02:14:39 20 written guidelines about the level of detail you can  
21 get into in a cold-call about compensation, or is it  
22 just kind of up to your discretion as a sourcer?

23 A. No, we leave it up to the discretion of the  
24 sourcer.

02:14:49 25 Q. Okay. And I guess you'd be working off, in

1 terms of your information, whatever salary range and  
2 bonus range had come out of the talent acquisition  
3 plan? Is that fair to say?

4 MR. KIERNAN: Object to the form.

02:15:01 5 THE WITNESS: It's a general -- yeah, it's a  
6 general guideline.

7 BY MR. GLACKIN:

8 Q. So can I direct your attention to paragraph 10  
9 of your declaration, please?

02:15:22 10 A. Sure.

11 Q. So the second sentence says, "The recruiter  
12 inquires of the candidate what the candidate is earning  
13 at his or her current position, how long the candidate  
14 has been earning that amount, and when the candidate's  
02:15:37 15 next expected compensation adjustment will occur."

16 So are you saying here that that's a sort of  
17 standard set of questions a recruiter would ask in a  
18 cold-call?

19 A. Not in a cold-call.

02:15:48 20 Q. Okay.

21 A. So the context of this sentence is really when  
22 we're -- when we're saying, hey, there could be a  
23 match, we're both very interested.

24 At every stage in the process, you're getting  
02:15:59 25 a little bit more detailed. And the intent of this is,

1 better than others. But when you're talking about  
2 sources of hire, most of them, when you look at the top  
3 of the funnel to the bottom of the funnel, it's a very  
4 small fraction.

02:28:57 5 Q. Okay. So in paragraph 16 in the last sentence  
6 you say, "To the contrary, I've made cold-calls to  
7 Google employees on the same basis as any other  
8 company."

9 How many cold-calls did you make to Google  
02:29:18 10 employees during the time period 2006 to 2009?

11 A. I don't have a specific number.

12 Q. Okay. Is there any way to answer that  
13 question by looking at records?

14 A. No.

02:29:32 15 Q. Did you write "To the contrary"?

16 MR. KIERNAN: I instruct the witness not to  
17 answer on the grounds of attorney-client privilege and  
18 work product.

19 BY MR. GLACKIN:

02:29:44 20 Q. Is "To the contrary" a phrase that you use  
21 very commonly in speech?

22 A. I do sometimes. I don't -- I don't know what  
23 your definition of "commonly" is, but I have been known  
24 to throw that out.

02:30:06 25 MR. GLACKIN: This would be a good time for a

1 break, if that's agreeable to everybody else.

2 MR. KIERNAN: Yeah, yeah, yeah.

3 THE VIDEOGRAPHER: All right. We're going off  
4 the record. The time is 2:30 p.m.

02:30:29 5 (RECESS TAKEN.)

6 THE VIDEOGRAPHER: We're back on the record.  
7 The time is 2:47 p.m., and this is the beginning of  
8 media No. 3 in the deposition of Chris Galy on March  
9 20th, 2013.

02:47:50 10 Please proceed.

11 BY MR. GLACKIN:

12 Q. Welcome back, Mr. Galy.

13 A. Thank you.

14 Q. So I'd like to talk a little bit more about  
02:47:56 15 the -- or ask you a few more questions about the --  
16 that conversation between the hiring manager and the  
17 talent acquisition person that results in the plan with  
18 the salary range on it.

19 So what are some of the factors that are  
02:48:11 20 discussed typically between those people in setting the  
21 salary range that's on the talent acquisition plan?

22 MR. KIERNAN: Object to the form.

23 THE WITNESS: So our goal is to get as many  
24 data points as possible, but in most cases and in  
02:48:33 25 speaking from the way I go into a hiring plan with a



1 leader is I have -- I utilize some of the tools that  
2 our total rewards team gives us around total rewards.  
3 So the industry benchmarking through companies like  
4 Radford, AON and -- just to give us some sense of what  
02:48:56 5 the market is doing in those specific geographies for  
6 that type of talent. Again, it's a data point.

7 Other data points that managers usually are  
8 naturally reflective of is where other folks doing  
9 similar works in their own teams are. And if we would  
02:49:15 10 have had a similar role in the recent past, we might  
11 have some data points that are relevant for recent  
12 hires or candidates that we want to offer to.

13 That would be the -- you know, kind of the  
14 standard type of discussion that we would have during  
02:49:36 15 the -- during the plan.

16 Other conversation around that is, generally  
17 speaking, what the manager has in their budget.

18 BY MR. GLACKIN:

19 Q. So when you're getting -- so I know you told  
02:49:50 20 me a few things there, and I'm going to try to go  
21 through them one by one.

22 A. Okay.

23 Q. So starting out with the market data that you  
24 discussed you might get from the total rewards people,  
02:50:00 25 how would that be broken down? Would it be broken down

1 by job title? By different kinds of functionalities?

2 How would it -- how would you know which market data to  
3 look at, so to speak?

4 A. Yeah.

02:50:09 5 It's broken down by job title and by  
6 geography.

7 Q. In terms of job titles, would those be job  
8 titles specific to Intuit or would they be sort of a  
9 more broader set of industry job titles?

02:50:23 10 A. Yeah, it's in our language, and then our comp  
11 team works on the process of doing whatever we need to  
12 do from a benchmarking perspective to make sure that  
13 it's apples to apples, and then as we look at it,  
14 it's -- you know, Intuit job code, A, B, C, D, title,  
02:50:44 15 this.

16 Q. So --

17 A. Geography.

18 Q. Sorry.

19 A. Right?

02:50:47 20 Q. So they would give you like a spreadsheet with  
21 some job codes on one axis and some geography on the  
22 other axis, and you'd be able to find the intersection  
23 and see the salary range that would be appropriate for  
24 that job code and that geography? Is that the way --

02:51:03 25 A. It's a --

1 part of the first attachment.

2 A. Okay.

3 Q. Okay. So is this what we were just -- what  
4 you were just explaining to us about equity guidelines  
03:02:40 5 and different levels?

6 A. Yes.

7 Q. Can you tell us what some of these acronyms  
8 mean, please?

9 A. Which -- so working on the left-hand column  
03:02:47 10 down, "DIR" is director, "PD" is product development,  
11 and "LDR" is leader.

12 And then there is a nonproduct development  
13 leader, "PD" is product development, "IC" is individual  
14 contributor. And you can see that they are different  
03:03:06 15 levels. Or non-PD individual contributor.

16 And then "NE" and nonexempt individual  
17 contributor.

18 And then you can see below that that there's  
19 some of the geographic elements that I was talking  
03:03:19 20 about.

21 Q. So -- and then when you say -- and then over  
22 here we have the minimum, mid, max stock units and  
23 stock options, and you said that came from total  
24 rewards?

03:03:33 25 A. Comes from total rewards.

1 Q. Now, is this something that they send to you,  
2 or is this something you generate out of the total  
3 rewards program or whatever it is?

4 A. We generally get an annual update after these  
03:03:42 5 guidelines are approved by the board of directors.

6 Q. Just out of curiosity, like what percentage of  
7 Intuit's workforce permanent, salaried, full-time  
8 workforce would fall into one of the categories over  
9 here on the left-hand side?

03:03:56 10 MR. KIERNAN: Objection to form.

11 BY MR. GLACKIN:

12 Q. How many people aren't covered by this, is  
13 another way to ask the question.

14 MR. KIERNAN: Same objection.

03:04:03 15 THE WITNESS: It covers everybody. I mean,  
16 this is a chart that we use for every offer.

17 BY MR. GLACKIN:

18 Q. Okay. That's it. I'm done with that  
19 document. Thank you.

03:04:21 20 Are you familiar with the phrase in your  
21 work -- you should put that down --

22 A. Oh, okay.

23 Q. -- "off-cycle pay increase" or "off-cycle pay  
24 action"?

03:04:34 25 A. Sure.

1 Q. What does that mean to you?

2 A. It means outside of the two -- the focal  
3 process and the midyear process. So ...

4 Q. So that would be an action taken with respect  
03:04:44 5 to employee compensation that's not part of the focal  
6 process or not part of the midyear process?

7 A. That's right. Other than something that might  
8 have happened because an internal applied to a role and  
9 got a promotion and got a -- and for all I know --  
03:05:04 10 that's my definition. For all -- I don't know what  
11 total rewards' definition is.

12 But we have two times a year where we look  
13 very closely and pull market data and look at what's  
14 going on, and so "off-cycle" would be any time outside  
03:05:17 15 of those two times.

16 Q. Does -- and when we're talking about off-cycle  
17 pay actions, does that generally refer to something  
18 that's companywide?

19 A. Hmm-mm, no.

03:05:29 20 Q. Okay. So it would be individual?

21 A. Yes.

22 Q. Okay. Are there ever companywide off-cycle  
23 pay actions?

24 A. Not since I've been here.

03:05:38 25 Q. Okay. Can you give me a personal example or

1 an example about which you have some personal knowledge  
2 of an off-cycle pay action?

3 A. Where a manager would come in and say, "I  
4 believe that I have a high-performing" -- in fact, I  
03:05:55 5 just had one of these about a month ago, couple months  
6 ago, where we went out and hired somebody, and as we  
7 were looking at some of the folks on the team, we  
8 recognized that the person is -- we were at risk of  
9 potentially having this person feel like they were, you  
03:06:15 10 know, not in the market range, and so we did an action  
11 for her.

12 Q. I see.

13 And so you said the pay action was with  
14 respect to the existing employee? The person had been  
03:06:30 15 there already?

16 A. Right. We gave her a salary increase.

17 Q. Okay. Because somebody else had been hired in  
18 to do similar work at a higher rate?

19 A. Well, because we -- yeah, and that gave us  
03:06:39 20 some data, data to show that, hey, you know what, this  
21 person's a high performer. Let's take a look at her  
22 and see if there isn't something we could do for her.

23 Q. Is it possible that that is one of the  
24 situations in which a manager might -- or the business  
03:06:53 25 leader might have to go to his manager and ask for a

1 bigger compensation budget?

2 A. Yeah.

3 Q. I'm going to show you now -- okay. So this --

4 (DEPOSITION EXHIBIT 2141 MARKED.)

03:07:31 5 BY MR. GLACKIN:

6 Q. So this is a document that's Bates-numbered  
7 INTUIT\_053940, an e-mail from Jim -- do you know how to  
8 say his last name?

9 A. Grenier.

03:07:54 10 Q. Grenier, dated March 17 of 2009.

11 And I'll just draw your attention to the fact  
12 that you're copied in the cc line on the -- among many  
13 other people on the e-mail.

14 A. Yep.

03:08:04 15 Q. Have you seen this e-mail before?

16 A. Yes.

17 Q. Did you receive it on or around March 17,  
18 2009?

19 A. I did.

03:08:10 20 Q. Do you remember receiving it? Do you remember  
21 this event?

22 A. Yes.

23 Q. Okay. Tell me about what was going on with  
24 respect to this e-mail.

03:08:21 25 A. So this is -- as we prepare to go into the

1 focal review season, this is an e-mail that Jim had  
2 sent out basically saying the process -- because you  
3 have to be here for a certain amount of time for us to  
4 really understand how well you did in your performance  
03:08:43 5 anyway. There's a cutoff date that generally says any  
6 offers after this particular time.

7 What we do is we work in some assumption  
8 that -- because we know that they're not going to be  
9 eligible for that focal process, we factor that into  
03:09:00 10 the offer, knowing that we don't want people to go for  
11 a year and a quarter, basically, without -- so we  
12 factor that -- that into whatever offer that we're  
13 looking to do for that particular person, the people  
14 that come in after April.

03:09:14 15 Q. Why would it be bad for somebody to have to  
16 wait for a year to get the increase?

17 MR. KIERNAN: Objection to form.

18 THE WITNESS: Well, we -- you know, the market  
19 can move pretty fast, and so it would be bad if you  
03:09:28 20 hired somebody and then they decided that they're going  
21 to go work somewhere else because they were waiting too  
22 long to get an increase.

23 BY MR. GLACKIN:

24 Q. Is it possible they'd feel they'd been treated  
03:09:39 25 unfairly relative to their coworkers?



1 Q. Okay. Where it says -- in the first bullet it  
2 says, "Pay out adjustments outside the tool/TPT after  
3 April 1st."

4 I'm curious, what does "tool/TPT" mean, if you  
03:11:02 5 know?

6 A. The talent pay tool. It was a -- it was a  
7 tool that I as a manager would make my focal  
8 recommendations for my folks. Focal review process,  
9 performance and salary and equity. So it's the  
03:11:20 10 technology that we used.

11 Q. I see. I see.

12 So it was an internal tool for managers to use  
13 with respect to their employees' compensation?

14 A. To manage the focal review process.

03:11:34 15 Q. All right. But it didn't have anything to do  
16 with recruiting?

17 A. No.

18 Q. Mr. Grenier says, "especially important given  
19 the unique financial situation we're facing."

03:11:44 20 Was Intuit facing a unique financial situation  
21 in March 17 -- on March 17 of 2009?

22 MR. KIERNAN: Objection to form.

23 BY MR. GLACKIN:

24 Q. If you know.

03:11:54 25 A. The entire world was facing a unique financial

1 situation at that particular time.

2 Q. Okay. So you understood this to be just  
3 referring to the general economic troubles?

4 A. The economic situation.

03:12:05 5 Q. The Great Recession?

6 A. The Great Recession. Second Great Recession,  
7 yeah.

8 Q. All right. Okay. You can put that aside.  
9 Thank you.

03:12:17 10 A. Okay.

11 Q. Are you familiar with the phrase "internal  
12 equity"?

13 A. Sure.

14 Q. What do you understand that phrase to mean, or  
03:12:25 15 term to mean?

16 A. So -- and this is a phrase that ever since I  
17 got in the business, internal equity was always one of  
18 the considerations, which is basically pulling data  
19 about what you're paying your folks in-house and making  
03:12:42 20 sure that that's a consideration for what we perceive  
21 somebody -- what the value for a particular candidate  
22 is. It's a data point.

23 Q. So, I guess, what's the -- you know, what's  
24 the goal of internal equity or of considering internal  
03:13:01 25 equity as a data point?

1 A. Yeah.

2 You don't want to necessarily hire one person  
3 in and lose ten. Right? So you're always balancing a  
4 fast-moving market in technology with high-demand  
03:13:18 5 skill, and you're looking at, you know, what -- what  
6 can I -- for me to get the business done that I need to  
7 get done and get the talent that I need to do it, you  
8 know, internal equity, a reflection of internal equity  
9 is always important to make sure that -- and it could  
03:13:37 10 actually help the candidate, too. It's not to say --  
11 not every -- not every company pays the way Intuit  
12 does.

13 And so it's about building a -- it's a set of  
14 data points where, as you're building a team, a  
03:13:49 15 high-performing organization, that you want to make  
16 sure that you pay people their value, so you could take  
17 that off the table so they could focus on delivering.

18 Q. So when you say you might gain one person but  
19 lose ten, I mean, I know you're being colloquial, but  
03:14:02 20 you're saying you might lose people because they feel  
21 they're being treated unfairly?

22 MR. KIERNAN: Objection to form.

23 THE WITNESS: So --

24 MR. KIERNAN: Ask him what he means.

03:14:12 25 BY MR. GLACKIN:

1 Q. What do you mean?

2 A. Yeah, I mean, you could ask -- you could ask  
3 candidates or employees.

4 But yeah, you know, you don't -- you don't  
03:14:19 5 want to -- if you're managing a high-performing  
6 organization, you don't want to have people doing the  
7 same work with wide disparity because -- in the same  
8 geographic location.

9 Q. Is internal equity something that the talent  
03:14:36 10 acquisition leader and the hiring manager would talk  
11 about in coming up with the talent acquisition plan  
12 from 2006 to 2009?

13 A. To the point that we had talked about before  
14 when we asked that, you know, it's commonplace that the  
03:14:51 15 manager would say, you know, here's the folks I already  
16 have on my team, and I know what they're making, and  
17 this is -- this is data points that we should consider  
18 as we go out to the marketplace.

19 It's a set -- it's a set of data.

03:15:04 20 Q. So are you agreeing with me, then, that  
21 that's -- that internal equity is one data point that  
22 would be considered in -- between the -- in the  
23 conversation between the hiring manager and the talent  
24 acquisition leader?

03:15:14 25 A. I could agree that I always have that

1 conversation with a hiring manager.

2 Q. Okay. Okay. This has been previously marked  
3 as Exhibit 1107.

4 A. Okay.

03:15:36 5 Q. So is this the self-same talent acquisition  
6 hiring plan that we've been talking about?

7 A. Yeah. So this is the construct by which we  
8 have recruiters guide the discussion. It's not  
9 all-inclusive, but yes, this is -- this is our  
03:16:00 10 framework.

11 Q. Okay. And so -- and was this in effect  
12 during -- or one like it in effect from 2006 to 2009?

13 A. Yes.

14 Q. And can I show you section 2, subsection B,  
03:16:12 15 where it says "salary, bonus, target" --

16 A. Yes.

17 Q. -- and so forth?

18 A. Yeah.

19 Q. Okay. You agree with me it says there that  
03:16:18 20 everyone is advised this is a good time to review  
21 internal equity?

22 A. That's right.

23 Q. Okay. You can put that aside. Thank you.

24 A. Okay.

03:16:31 25 Q. Do you have any role in setting merit budgets?

1 A. I don't.

2 Q. Okay. Who sets merit budgets at Intuit?

3 A. I don't know.

4 Q. Well, is there a particular division of the  
03:16:45 5 company or group of employees that are responsible for  
6 that job function?

7 A. Total rewards team.

8 Q. And would the total rewards team have been  
9 responsible for it in 2006 to 2009?

03:16:56 10 A. I could only assume yes.

11 Q. Okay. Do you know a gentleman named Parrish  
12 Pullen?

13 A. Parrish, yes.

14 Q. Who's Parrish?

03:17:10 15 A. Parrish was in our total rewards team at the  
16 time.

17 Q. In 2006 to --

18 A. 2006-2000 -- I don't know. He did move into  
19 sales, but I think it was after 2009. I don't know the  
03:17:20 20 exact time.

21 Q. What's your relationship with Mr. Pullen?

22 A. Business partner, friend.

23 Q. Did he ever ask you for input on the merit  
24 budget-setting process?

03:17:34 25 A. I don't -- I don't recall specific ask, but I

1 would say that it's not uncommon for total rewards to  
2 say, "Hey, what's going on in the marketplace? What  
3 skills are hot?" Those are conversations that I've had  
4 with total rewards ever since I've been here.

03:17:55 5 I don't necessarily remember having a specific  
6 conversation with Parrish, but those conversations I've  
7 had, yes.

8 Q. All right. I'm going to hand you --

9 (DEPOSITION EXHIBIT 2142 MARKED.)

03:18:38 10 BY MR. GLACKIN:

11 Q. Okay. So I've handed you an e-mail message,  
12 or exchange, I should say, between yourself and Mr. --  
13 is it "Pullen"? Is that how you say his name?

14 A. "Pullen."

03:18:58 15 Q. "Pullen."

16 Bates number is INTUIT\_039793, and it's dated  
17 March 1st through March 3rd of 2010.

18 Did you -- well, first of all, did you have  
19 this exchange of e-mails with Mr. Pullen on or around  
03:19:18 20 March 1st to March 3rd of 2010?

21 A. Yes.

22 Q. And do you recall having this exchange of  
23 e-mails with him?

24 A. Now that I see this, yeah, I do.

03:19:25 25 Q. Okay. What context can you give me for this

1 document?

2 A. So just as Parrish asks, he's basically asking  
3 our input to see what's going on in the external  
4 market.

03:19:42 5 And you could see, you know -- or as you  
6 prepare to negotiate offers, you find that pay packages  
7 need to be more aggressive, hiring managers concerned  
8 about the difference, increase in multiple-offer  
9 situations.

03:19:54 10 And so as part -- on our SharePoint portal, I  
11 put a question out to the team to say -- asking the  
12 team exactly that, because they're in the marketplace a  
13 whole lot more than I am. And especially in this time,  
14 in 2010.

03:20:09 15 And this -- these are the responses that I got  
16 back from the team, and so I cut-and-pasted those  
17 responses and sent them to Eva and Parrish.

18 Q. So can you tell us the question that you  
19 posted on the portal?

03:20:22 20 A. I think I cut-and-pasted exactly the two  
21 questions that he had here, to the best of my  
22 knowledge.

23 Q. And so at this point, was Mr. Pullen still  
24 working in merit budget planning?

03:20:35 25 A. I believe so.



1 Q. And in the subject line it says "RT input."

2 Does "RT" stand for "right talent"?

3 A. It stands for "right talent."

4 Q. Okay. Is that another way of sort of

03:20:44 5 referring to the HR department?

6 A. It's Michael's organization, Michael McNeal's  
7 organization.

8 Q. And --

9 A. Which included talent acquisition. It also

03:20:55 10 included talent development and technology systems and  
11 tools.

12 Q. For some reason I have a recollection that you  
13 testified earlier that Mr. McNeal was responsible for  
14 executive-level hiring only. Is that not right? Did I  
03:21:07 15 get that wrong?

16 A. Not only. So he was responsible for  
17 executive-level hiring. That was part of right talent.

18 Q. I see.

19 So was your talent acquisition group also part  
03:21:16 20 of right talent in 2010?

21 A. Yes.

22 Q. And is it still today?

23 A. No, I don't report to Michael anymore. I  
24 report directly to Sherry Whiteley, the SVP of HR.

03:21:32 25 Q. Are you and Michael now peers?

1 A. Yes. Different titles, but yes, we both sit  
2 on Sherry's staff.

3 Q. So what was it that was significant -- well,  
4 were these the only three responses you received, or  
03:21:44 5 were these the ones that you selected to show Parrish  
6 for some reason?

7 A. I don't remember.

8 Q. The bolding, was that something that you put  
9 in or something that was in the original responses?

03:22:00 10 A. I can't remember.

11 Q. What was the -- what was the general answer to  
12 Parrish's question that you saw reflected in these  
13 responses?

14 MR. KIERNAN: Objection to form.

03:22:24 15 BY MR. GLACKIN:

16 Q. You know, let me ask -- I'll ask you a better  
17 question.

18 So if I draw your attention to your e-mail to  
19 him where you're sending this information, you say,  
03:22:32 20 "seems to be much more internal reflection versus  
21 market awareness in some areas, which is not  
22 surprising, nor all that bad in some ways, given the  
23 current economic and budget climate."

24 And I'm wondering if you can give us a little  
03:22:43 25 context or elaboration on that statement.

1 A. I don't remember exactly what I was talking  
2 about at that point.

3 Q. So in -- Chris writes, in the first -- in the  
4 first response that you've pasted there -- excuse me.

03:23:06 5 Not Chris. James Ayres writes.

6 Do you know who Mr. Ayres is?

7 A. I do.

8 Q. Who's Mr. Ayres?

9 A. He was a talent acquisition manager on the  
03:23:13 10 team at the time.

11 Q. Okay. Did he have responsibility for  
12 particular job segments, or did he have -- or was his  
13 responsibility unlimited in that respect?

14 A. He did. I don't know exactly what the scope  
03:23:26 15 of his work was at this -- at the time he was writing  
16 this, but he was in Canada, and his scope was mostly on  
17 Canada and some in the UK.

18 Q. And he writes, "Hiring managers for the most  
19 part are reviewing their team's internal equity, and we  
03:23:45 20 are adjusting our offers to reflect this."

21 In your experience, was that generally true  
22 across the board?

23 MR. KIERNAN: Objection to form.

24 THE WITNESS: No.

03:23:58 25 BY MR. GLACKIN:

1 Q. No?

2 A. I mean, as we talked about, you know, internal  
3 equity is part of a dataset, and when a manager  
4 recognizes that their team might be falling behind what  
03:24:12 5 the market is, based upon some of the recruiting  
6 activity we have, they totally have the discretion to  
7 go ahead and do what they need to do to make sure that  
8 they're maintaining a high-performing team.

9 Q. So the next response is from Leigh Cordes.

03:24:26 10 Who's Leigh Cordes?

11 A. Leigh was a senior recruiter on the team. And  
12 she still is a senior recruiter on the team.

13 Q. Okay. And then the next one is Katie  
14 Caponigro?

03:24:39 15 A. Yes.

16 Q. Did I get that right?

17 A. You did.

18 Q. Okay. And who's Katie?

19 A. Katie was -- at this time was a recruiter on  
03:24:46 20 the team.

21 Q. So when you posted this internally, this  
22 question, was it posted in a place where it was only  
23 going to be looked at by TA people?

24 A. Yes.

03:24:55 25 Q. Okay. So you posted it on the TA portal?

1 A. That's right.

2 Q. All right. Thank you. I think -- I'm sure  
3 you said that and I just didn't understand it. Okay.

4 Did you get other requests from Parrish like  
03:25:09 5 this over the years?

6 A. I don't remember any specific requests, like I  
7 said, but it's very common for us to have conversations  
8 with total rewards to just see what's going on in the  
9 marketplace.

03:25:31 10 Q. All right.

11 (DEPOSITION EXHIBIT 2143 MARKED.)

12 BY MR. GLACKIN:

13 Q. So this is a document that's Bates-numbered  
14 INTUIT\_041548. It contains truly an ocean of e-mail  
03:26:11 15 addresses, but fortunately they're all in alphabetical  
16 order, and your e-mail address is on the second page,  
17 about three, four, five, six, seven, eight, nine, ten,  
18 eleven lines down.

19 Do you see your name there?

03:26:24 20 A. I do.

21 Q. Okay. So did you receive this e-mail message  
22 from Mr. Lane on or around February 19 of 2009?

23 A. I did.

24 Q. Who was Mr. Lane?

03:26:44 25 A. Eric was a vice president. At this particular

1 time I would say that he was the vice president of  
2 human resources. So he was the vice president of human  
3 resources. And at this time I believe he was vice  
4 president of human resources for the small business  
03:27:04 5 division.

6 MR. KIERNAN: And I just want the record to  
7 reflect that the e-mail is from Jim Grenier, not  
8 from --

9 MR. GLACKIN: Oh, I'm sorry. Thank you,  
03:27:14 10 David. Thank you. Yes. That was unclear. The  
11 original e-mail was from Mr. Grenier.

12 THE WITNESS: Okay.

13 BY MR. GLACKIN:

14 Q. And at that point Mr. Grenier was in charge of  
03:27:21 15 total rewards; is that right?

16 A. That's right.

17 Q. Okay. Now, did he report to Ms. Whiteley or  
18 to somebody else?

19 A. He did.

03:27:25 20 Q. Okay. Is Mr. Grenier still at the company?

21 A. He is not with the company anymore.

22 Q. So I want to direct your attention if we could  
23 go to the first actual text page of Mr. Grenier's  
24 e-mail where it says, "Hello, Intuit leaders."

03:27:43 25 Do you see that?

## REPORTER'S CERTIFICATE

I, Anne Torreano, Certified Shorthand Reporter  
licensed in the State of California, License No. 10520,  
hereby certify that the deponent was by me first duly  
sworn, and the foregoing testimony was reported by me  
and was thereafter transcribed with computer-aided  
transcription; that the foregoing is a full, complete,  
and true record of said proceedings.

I further certify that I am not of counsel or  
attorney for either or any of the parties in the  
foregoing proceeding and caption named or in any way  
interested in the outcome of the cause in said caption.

The dismantling, unsealing, or unbinding of  
the original transcript will render the reporter's  
certificates null and void.

In witness whereof, I have subscribed my name  
this 1st day of April, 2013.

☒ Reading and Signing was requested.

☐ Reading and Signing was waived.

☐ Reading and Signing was not requested.

\_\_\_\_\_  
ANNE M. TORREANO, CSR No. 10520